

## MEMO

**DATE:** August 16, 2019

**TO:** Tom Mullins  
Issaquah School District

**FROM:** Keith Niven, AICP, CECd  
Development Services Department Director

**SUBJECT:** Applicable Land Use Codes for Talus Middle School



08/16/2019

on behalf of Keith Niven

## BACKGROUND

Talus Parcel 17B (Assessor's Parcel Number 8562730170) is currently in the UV-O (Urban Village – Office) zone and is subject to the Talus Replacement Regulations (IMC 18.19C). The Talus Replacement Regulations include goals, guidelines, and development standards, and applies to development proposals in the Talus area following termination of the Talus Development Agreement.

Issaquah School District (ISD) is proposing to construct a new middle school campus on the site. The City works with public agencies to rezone properties to the CF-F (Community Facilities – Facilities) zone for public facilities through the annual update of the Comprehensive Plan, and ISD has requested that the subject property be rezoned to CF-F as part of the docket for this year; the City is on track to do so. In accordance with IMC 18.19C.040 Interpretations and conflicts, "the Director is authorized to interpret this Code ... to clarify the Code responsibilities, rules, procedures, and requirements, including resolving conflicting or silent text, determining unidentified uses, etc." Therefore, this interpretation by the Development Services Department Director is intended to clarify which codes would apply when the subject property is rezoned to CF-F, for the benefit of both City staff and ISD.

## INTERPRETATION

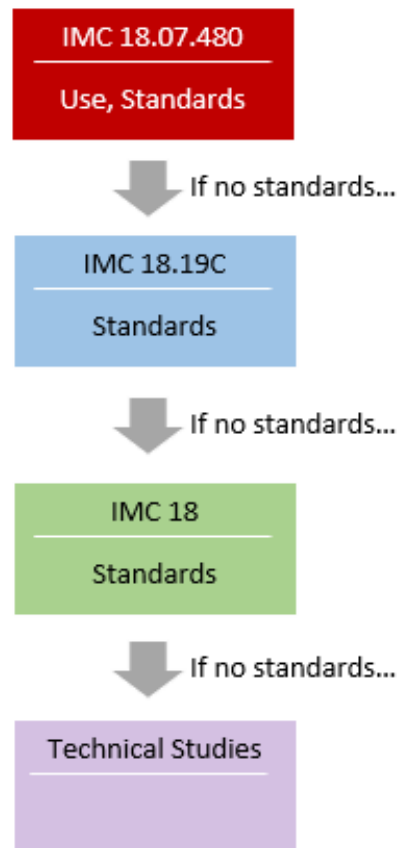
The land use code framework for the proposed rezoning would consist of three primary hierarchical layers, summarized as follows in the order of their applicability:

1. **CF-F Zone Uses and Standards** per IMC 18.06.090 (Community Facilities), IMC 18.06.130 (Table of permitted land uses), and IMC 18.07.480 (Community facilities standards)  
Note: Only uses and standards that are applicable to the CF-F zone within these IMC sections would prevail over uses and standards in IMC 18.19C. The CF-F zone includes some provisions from Central Issaquah Development and Design Standards (CIDDS; IMC 18.19A).

2. **Talus Replacement Regulations (IMC 18.19C)** for provisions not covered in 1 above, the following codes would apply in the order of their applicability:

- i. **Talus Replacement Regulations (IMC 18.19C)**  
Includes goals (IMC 18.19C.100), guidelines (IMC 18.19C.110), and standard provisions for Talus.  
Note: Design standards in this chapter would prevail over the Design Criteria Checklist (Appendix 2 of IMC 18.07);
- ii. **Central Issaquah Development and Design Standards (CIDDS; IMC 18.19A)**, Includes standard provisions not covered by 1 and 2i above.  
Note: The CF-F zone includes some provisions from CIDDS. Development standards and guidelines in CIDDS would prevail over the Design Criteria Checklist (Appendix 2 of IMC 18.07); and,
- iii. **Issaquah Municipal Code (IMC) and other City codes** for any provisions not covered by 1, 2i, and 2ii above.

3. **Technical Study** may be required where appropriate standards do not exist.



## RATIONALE

This section provides a detailed explanation for how each of the three hierarchical layers summarized above would be applicable to the subject property as zoned CF-F.

### 1. CF-F Zone Uses and Standards

Regulations for compact public schools in IMC 18.07.480 were recently adopted by the City after working with ISD. The purpose of these regulations is to update the standards to address the unique design and functional needs of school developments, and to reduce the need for Administrative Adjustment of Standards.

Intended uses in the CF-F zone are listed in IMC 18.06.090, with a detailed table of uses provided in IMC 18.06.130 (Table of permitted land uses). Development standards for the CF-F zone are stated in IMC 18.07.480, including but not limited to, standards for floor area ratio, height, setbacks, build-to-line, and maximum impervious surface area. The CF-F zone's standards include some provisions from CIDDS. The uses, standards, and approval criteria for public schools in the CF-F zone as provided in IMC 18.06.090, 18.06.130, and 18.07.480 only would apply.

One exception to the approval criteria is IMC 18.07.480.E.1.c pertaining to the Design Criteria Checklist (Appendix 2 of IMC 18.07), which specifies that specific subarea requirements shall prevail. As Talus constitutes a subarea with specific requirements (e.g. Talus goals and

guidelines and Talus Replacement Regulation requirements), these subarea requirements would prevail over the Design Criteria Checklist.

The code provisions in IMC 18.07.480 are not comprehensive; therefore, where appropriate standards do not exist, staff will apply standards found in the Talus Replacement Regulations (IMC 18.19C).

## **2. Talus Replacement Regulations (IMC 18.19C)**

IMC 18.19C.030 (Scope and applicability) states that the Talus Replacement Regulations applies to “all Talus’ districts, projects, and properties,” and were developed with the goal of retaining the Talus neighborhood character as remaining vacant property develops and for redevelopment over time. Therefore, rezoning a property within Talus to a zoning designation that applies citywide would not extricate the property completely from the Talus Replacement Regulations.

Properties in the CF-F zone exist in Talus and citywide, and the Talus Replacement Regulations recognizes this and refers to IMC 18.06.090 (Community Facilities) for “allowed uses and standards” in the CF-F zone. By explicitly referencing the CF-F zone’s uses and standards, it also implicitly limits the CF-F zone’s application within Talus to just its uses and standards as Talus’s Replacement Regulations in 18.19C130, footnote †. Therefore, for any provisions that are not covered in the CF-F zone’s uses and standards, the Talus Replacement Regulations would apply, including but not limited to, Talus’s goals, guidelines, and general provisions.

The Talus Replacement Regulations are comprised of three code components: 1) Talus Replacement Regulations; 2) Central Issaquah Development and Design Standards; and 3) Issaquah Municipal Code and other City codes. These three components would apply in accordance with the hierarchy established in IMC 18.19C.030 (Scope and applicability), and are listed in their order of applicability as follows:

### **i. Talus Replacement Regulations (IMC 18.19C)**

Applicable regulations include standard provisions that are generally applicable to all properties in Talus and that are not specific to a particular zoning designation. Examples include, but are not limited to, regulations for hillside sites, site walls, and trails. Design standards in this chapter would prevail over the Design Criteria Checklist (Appendix 2 of IMC 18.07).

### **ii. Central Issaquah Development and Design Standards (CIDDS; IMC 18.19A)**

Applicable regulations include standard provisions that are not specific to a particular zoning designation and that are not covered under 1, 2, and 3i above. Development standards and guidelines in CIDDS would prevail over the Design Criteria Checklist (Appendix 2 of IMC 18.07).

iii. **Issaquah Municipal Code (IMC) and other City codes**

Applicable regulations include any provisions that are not covered under 1, 2, 3i, and 3ii above. Additionally, IMC 18.12.1370 through 18.12.1390 pertaining to tree regulations are specifically identified for inclusion.

**3. Technical Study**

Where appropriate standards do not exist, staff will request a technical study be prepared by the applicant to apply project-specific standards.

**Summary of Applicable Code Sections by Topic**

The following table outlines code sections that would apply standards by topic.

Topics	Applicable Code Sections
<b>Uses, FAR, Setbacks, Impervious Area</b>	<p><b>Uses:</b></p> <ul style="list-style-type: none"> <li>IMC 18.06.090 Community Facilities</li> <li>IMC 18.06.130 Table of permitted land uses</li> </ul> <p><b>FAR, Setbacks, Impervious Area:</b></p> <ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> </ul>
<b>Building Height</b>	<ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> <li>IMC 18.19C.200B Hillside sites</li> </ul>
<b>Build-To-Line</b>	<ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> <li>IMC 18.19C.100 Talus Planning Goals</li> <li>IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 3 - Office Campus</li> </ul>
<b>Site Design</b>	<ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> <li>IMC 18.19C.100 Talus Planning Goals</li> <li>IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation, Chapter 3 – Office Campus, and Chapter 9 – Public Facilities</li> <li>CIDDS Chapter 11.2.G Views and Vistas</li> </ul>
<b>Parking</b>	<ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> <li>IMC 18.19C.100 Talus Planning Goals</li> <li>IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation, Chapter 8 – Sustainable Building Technologies</li> <li>CIDDS Chapter 8 – Parking</li> <li>Due to the parking issues occurring proximate to the existing middle school, staff is recommending a technical analysis be submitted to identify the minimum number of parking spaces to provide.</li> </ul>
<b>Building Design</b>	<ul style="list-style-type: none"> <li>IMC 18.07.480 Community facilities standards</li> <li>IMC 18.19C.100 Talus Planning Goals</li> <li>IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 3 - Office Campus and Chapter 8 – Sustainable Building Technologies</li> </ul>

<b>Circulation Facilities</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.07.480 Community facilities standards</li> <li>▪ IMC 18.19C.030.B.7 Scope and applicability – Talus circulation facilities</li> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation and Chapter 3 – Office Campus</li> <li>▪ CIDDS Chapter 6 – Circulation Facilities</li> </ul> <p><b>Trails:</b></p> <ul style="list-style-type: none"> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation and Chapter 7 – Open Space and Parks</li> <li>▪ IMC 18.19C.230 Trails</li> </ul>
<b>Open Space</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.07.480 Community facilities standards</li> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 7 – Open Space and Parks</li> <li>▪ IMC 18.19C.220 Parks and plazas</li> </ul>
<b>Landscape</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.07.480 Community facilities standards <ul style="list-style-type: none"> <li>- Refers to CIDDS Chapter 10 - Landscape</li> </ul> </li> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation and Chapter 3 – Office Campus</li> <li>▪ IMC 18.19C.210 Site Walls as it relates to landscape treatment</li> </ul>
<b>Grading</b>	<p><b>Cut/fill standards:</b></p> <ul style="list-style-type: none"> <li>▪ IMC 18.19C.200B Hillside sites</li> </ul> <p><b>Retaining walls:</b></p> <ul style="list-style-type: none"> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 6 – Fences and Walls</li> <li>▪ IMC 18.19C.210 Site Walls</li> </ul>
<b>Critical Areas</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.10 Environmental Protection</li> </ul>
<b>Lighting</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ IMC 18.19C.110 Talus Urban Village Design Guidelines, Chapter 2 – Vehicle and Pedestrian Circulation</li> <li>▪ CIDDS Chapter 17, Lighting</li> </ul>
<b>Signs</b>	<ul style="list-style-type: none"> <li>▪ IMC 18.07.480 Community facilities standards</li> <li>▪ IMC 18.19C.100 Talus Planning Goals</li> <li>▪ CIDDS Chapter 9 - Signs</li> </ul>